

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF INDIANA
NEW ALBANY DIVISION

IN RE:)
)
EASTERN LIVESTOCK CO., LLC,) Case No. 10-93904-BHL-11
)
 Debtor.) Hon. Basil H. Lorch III
)
JAMES A. KNAUER, CHAPTER 11 TRUSTEE)
OF EASTERN LIVESTOCK CO., LLC)
)
Plaintiff,)
)
v.) Adversary Proceeding No. 12-59161
)
STOCKMAN OKLAHOMA LIVESTOCK)
MARKETING, INC., SOUTHEAST)
LIVESTOCK EXCHANGE, LLC, ROBERT)
NICHOLS, individually, ROBERT and JANE)
NICHOLS d/b/a NICHOLS LIVESTOCK,)
NICHOLS LIVESTOCK, INC., WILLIAM)
BUSH, and DOES 1-6,)
)
Defendants.)
)
INNOVATIVE LIVESTOCK SERVICES, INC.,)
BMG NATURAL, L.L.C., AND INNOVATIVE)
LIVESTOCK SERVICES, INC.,)
)
Plaintiffs,)
)
v.) Adversary Proceeding No. 11-59098
)
EASTERN LIVESTOCK CO., LLC, et al.,)
)
Defendants.)

FRIONA INDUSTRIES, L.P.,)
)
Plaintiff,)
)
v.) Adversary Proceeding No. 11-59093
)
EASTERN LIVESTOCK CO., LLC, et al.,)
)
Defendants.)
)
and)
)
CACTUS GROWERS, INC.,)
)
Intervenor,)
)
v.)
)
EASTERN LIVESTOCK CO., LLC, et al.,)
)
and)
)
J & F OKLAHOMA HOLDINGS, INC.,)
)
Intervenor,)
)
v.)
)
EASTERN LIVESTOCK CO., LLC, et al.,)
)
Defendants.)

**TRUSTEE'S 30(b)(6) NOTICE OF DEPOSITION TO
STOCKMAN OKLAHOMA LIVESTOCK MARKETING, INC.**

Please take notice that, pursuant to Fed. R. Civ. P. 30(b)(6) and Fed. R. Bankr. P. 7030, James A. Knauer (the "Trustee"), as the trustee of Eastern Livestock Co., LLC, by counsel, will take the deposition of Stockman Oklahoma Livestock Marketing, Inc. (SOLM) at 9:00 a.m. on April 15, 2014 at the offices of McAfee & Taft, Tenth Floor, Two Leadership Square, 211 N. Robinson, Oklahoma City, OK 73102-7103, before a court reporter authorized to administer

oaths. The deposition will be conducted in accordance with the July 3, 2012 Order Establishing Deposition Protocols [Main Case, Doc. 1229]. You are invited to appear and take part in such examination.

Definitions

Definitions applicable to this Notice of Deposition include the following:

A. "You," "your," and "SOLM" means and refers to Stockman Oklahoma Livestock Marketing, Inc. and includes all persons and organizations under your control, including but not limited to your parents, subsidiaries, affiliates, officers, directors, employees, attorneys, accountants, agents, and representatives of any kind. This definition includes Apache Auction Market and Apache Video Sales.

B. "Eastern" means and refers to Eastern Livestock Co., LLC, and includes its affiliates, members, officers, employees, attorneys, agents, accountants, and representatives of any kind.

C. "Trustee" means and refers to James A. Knauer, as the duly appointed Chapter 11 trustee for Eastern and includes his attorneys, agents, and representatives of any kind.

D. "First Amended Complaint" means and refers to the Trustee's First Amended Complaint filed in Adversary Proceeding No. 12-59161 (Doc. No. 15).

Subjects of Examination

Examination is requested on any and all knowledge possessed by or reasonably available to SOLM relating to the following matters:

1. The general nature of SOLM's business operations and SOLM's record-keeping and accounting/book-keeping practices.

2. The general nature of SOLM's business dealings and cattle transactions with Eastern during 2009 and 2010.

3. The general nature of SOLM's business dealings and relationship with Thomas P. Gibson during 2009 and 2010.

4. The general nature of SOLM's business dealings and cattle transactions with Robert Nichols and Nichols Livestock from 2009 through the present.

5. The general nature of SOLM's business dealings and cattle transactions with William Bush from 2009 through the present.

6. The claims asserted by SOLM in its proofs of claim filed in Eastern's bankruptcy proceedings (Claim Nos. 245 & 246), including the allegations, facts, documents, transactions, checks, cattle, agreements, and parties reflected therein.

7. The transactions, cattle, and payments identified in the First Amended Complaint, including the transactions, cattle, and payments identified in the Exhibits to the First Amended Complaint.

8. The general nature of SOLM's business dealings with the "vendors" and "customers" identified in the Exhibits to the First Amended Complaint, and the specific transactions with the "vendors" and "customers" identified in the Exhibits to the First Amended Complaint.

9. The purported "Assignment" from Thomas P. Gibson/Eastern to SOLM, including but not limited to Exhibits E and F of the First Amended Complaint, and the facts and

circumstances surrounding the "Assignment," including but not limited to the negotiation, drafting, and execution of the "Assignment" and any action taken by SOLM related in any way to the "Assignment."

10. SOLM's Responses to the Trustee's Discovery Requests, served on July 29, 2013, and the documents produced by SOLM to the Trustee.

11. Communications with Eastern and any of its representatives, agents, affiliates, or employees – including but not limited to Thomas P. Gibson, Steve McDonald, Darren Brangers, Scott Gibson, and Grant Gibson – during November of 2010.

12. Communications with anyone concerning or relating to Eastern during November of 2010, including but not limited to communications with Packers & Stockyards/GIPSA, Superior Livestock, William Bush, Robert Nichols, Southeast Livestock, and any "customer" and "vendor" identified in the Exhibits to the First Amended Complaint.

13. Communications with or about Elizabeth Lynch or other employees of Development Specialists, Inc., from November of 2010 through January 2011.

14. SOLM's answer and affirmative defenses (Doc. No. 29) to the First Amended Complaint in Adversary Proceeding No. 12-59161.

15. The claims, allegations, and transactions at issue in SOLM's answer and counterclaim (Doc. No. 66) filed in Adversary Proceeding No. 11-59093, including but not limited to the facts, allegations, cattle, payments, checks, invoices, contracts, parties, and communications relating to the transactions involving the 64 head of cattle at issue.

16. The claims, allegations, and transactions at issue in SOLM's answer and counterclaim (Doc. No. 52) filed in Adversary Proceeding No. 11-59098, including but not limited to the facts, allegations, cattle, payments, checks, invoices, contracts, parties, and communications relating to the transactions involving the 204 head of cattle at issue.

FAEGRE BAKER DANIELS LLP

By: /s/ Harmony Mappes

Kevin M. Toner (#11343-49)
Harmony Mappes (#27237-49)
300 N. Meridian Street, Suite 2700
Indianapolis, IN 46204-1750
Telephone: (317) 237-0300
Facsimile: (317) 237-1000
kevin.toner@faegrebd.com
harmony.mappes@faegrebd.com

Counsel for James A. Knauer, Chapter 11 Trustee

CERTIFICATE OF SERVICE

I hereby certify that on April 1, 2014, a copy of the foregoing pleading was filed electronically. Notice of this filing will be sent to the following parties through the Court's Electronic Case Filing System. Parties may access this filing through the Court's system.

David L. Abt
davidabt@mwt.net

C. R. Bowles, Jr
cbowles@bgdlegal.com

John Hunt Lovell
john@lovell-law.net

Mark A. Robinson
mrobinson@vhrlaw.com

Jeffrey R. Erler
jerler@ghjhlaw.com

Edward M King
tking@fbtlaw.com

Randall D. LaTour
rdlatour@vorys.com

John R. Carr, III
jrciii@acs-law.com

Bret S. Clement
bclement@acs-law.com

Daniel J. Donnellon
ddonnellan@fclaw.com

Stephen A. Weigand
sweigand@fclaw.com

John Frederick Massouh
john.massouh@sprouselaw.com

John W. Ames
james@bgdlegal.com

Robert Hughes Foree
robertforee@bellsouth.net

Kim Martin Lewis
kim.lewis@dinslaw.com

Jeremy S Rogers
Jeremy.Rogers@dinslaw.com

Ivana B. Shallcross
ishallcross@bgdlegal.com

Deborah Caruso
dcaruso@daleeke.com

Meredith R. Thomas
mthomas@daleeke.com

William Robert Meyer, II
rmeyer@stites.com

Allen Morris
amorris@stites.com

Charles R. Wharton
Charles.R.Wharton@usdoj.gov

James Bryan Johnston
bjtexas59@hotmail.com

James T. Young
james@rubin-levin.net

David L. LeBas dlebas@namanhowell.com	Judy Hamilton Morse judy.morse@crowedunlevy.com	John M. Thompson john.thompson@crowedunlevy.com
Suzanne M Shehan suzanne.shehan@kutakrock.com	John Huffaker john.huffaker@sprouselaw.com	Matthew J. Ochs kim.maynes@moyewhite.com
Laura Day Delcotto lidelcotto@dlgfirm.com	Kelly Greene McConnell lisahughes@givenspurley.com	Andrew James Vandiver avandiver@aswdlaw.com
Ross A. Plourde ross.plourde@mcafeetaft.com	Walter Scott Newbern wsnewbern@msn.com	Kirk Crutcher kcrutcher@mcs-law.com
Todd J. Johnston tjohnston@mcjllp.com	Timothy T. Pridmore tpridmore@mcjllp.com	Theodore A Konstantopoulos ndohbk@jbandr.com
Karen L. Lobring lobring@msn.com	Sandra D. Freeburger sfreeburger@dsf-atty.com	Lisa Koch Bryant courtmail@fbhllaw.net
Elliott D. Levin edl@rubin-levin.net	John M. Rogers johnr@rubin-levin.net	John David Hoover jdhoover@hooverhull.com
Sean T. White swhite@hooverhull.com	Jay P. Kennedy jpk@kgrlaw.com	John R. Burns john.burns@faegrebd.com
Michael W. McClain mmcclain@mcclaineweeks.com	William E Smith wsmith@k-glaw.com	Kayla D. Britton kayla.britton@faegrebd.com
James Edwin McGhee mcghee@derbycitylaw.com	Thomas C Scherer tscherer@bgdlegal.com	David A. Laird david.laird@moyewhite.com
Amanda Dalton Stafford ads@kgrlaw.com	Matthew R. Strzynski mstrzynski@kdlegal.com	Trevor L. Earl tearl@rwsvlaw.com
David Alan Domina dad@dominalaw.com	Kent A Britt kabritt@vorys.com	Joshua N. Stine kabritt@vorys.com
Jill Zengler Julian Jill.Julian@usdoj.gov	Jeffrey L Hunter jeff.hunter@usdoj.gov	Amelia Martin Adams aadams@dlgfirm.com
Michael Wayne Oyler moyer@rwsvlaw.com	Jason W. Cottrell jwc@stuartlaw.com	Robert A. Bell rabell@vorys.com
James E. Rossow jim@rubin-levin.net	James B. Lind jblind@vorys.com	Melissa S. Giberson msgiberson@vorys.com
Steven A. Brehm sbrehm@bgdlegal.com	Anthony G. Raluy traluy@fbhllaw.net	U.S. Trustee ustpregion10.in.ecf@usdoj.gov
Patrick B Griffin pat.griffin@kutakrock.com	Jack S. Dawson jdawson@millerdollarhide.com	Dustin R. DeNeal dustin.deneal@faegrebd.com
Shawna M. Eikenberry shawna.eikenberry@faegrebd.com	Terry E. Hall terry.hall@faegrebd.com	Jay Jaffe jay.jaffe@faegrebd.com
James A. Knauer jak@kgrlaw.com	Erick P. Knoblock eknoblock@daleeke.com	Harmony A. Mappes harmony.mappes@faegrebd.com
Jessica Lynn Olsheski jessica.olsheski@justice-law.net	Shiv Ghuman O'Neill shiv.oneill@faegrebd.com	Wendy W. Ponader wendy.ponader@faegrebd.com
Niccole R. Sadowski nsadowski@thbklaw.com	Eric C. Redman ksmith@redmanludwig.com	Joe T. Roberts jratty@windstream.net
Joseph H. Rogers jrogers@millerdollarhide.com	James E. Smith jsmith@smithakins.com	Christopher E. Baker cbaker@thbklaw.com
Andrew D. Stosberg astosberg@lloydmc.com	Kevin M. Toner kevin.toner@faegrebd.com	Andrea L. Wasson andrea@wassonthornhill.com
Christopher M. Trapp ctrapp@rubin-levin.net	Eric W. Richardson ewrichardson@vorys.com	Joshua Elliott Clubb joshclubb@gmail.com

Jennifer Watt
jwatt@kgrlaw.com

William K. Flynn
wkflynn@strausstroy.com

Michael Benton Willey
michael.willey@ag.tn.gov

Chrisandrea L. Turner
citurner@stites.com

Scott R. Leisz
sleisz@bgdlegal.com

Terrill K. Moffett
kendalcantrell@moffettlaw.com

Matthew Daniel Neumann
mneumann@hhclaw.com

Chad Duane Wuertz
chad@wuertzlaw.com

Joe Lee Brown
Joe.Brown@Hardincounty.biz

Thomas P. Glass
tpglass@strausstroy.com

Kay Dee Baird
kbaird@kdlegal.com

Paul M. Hoffman
phoffmann@stinson.com

Brian H. Meldrum
bmeldrum@stites.com

Natalie Donahue Montell
nmontell@bgdlegal.com

Brian Robert Pollock
bpollock@stites.com

Ben T. Caughey
ben.caughey@icemiller.com

Stephen E. Schilling
seschilling@strausstroy.com

David W. Brangers
dbrangers@lawyer.com

Martha R. Lehman
mlehman@kdlegal.com

Kevin J. Mitchell
kevin.mitchell@faegrebd.com

Erin Casey Nave
enave@taftlaw.com

Steven Eric Runyan
ser@kgrlaw.com

/s/ Harmony Mappes _____